

PATENT: Mail Stop AF  
Attorney Docket No. 07552.0055

**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: )  
Bernard BENE et al. )  
Application No.: 10/526,498 ) Group Art Unit: 1797  
Filed: September 29, 2005 ) Examiner: Bass, Dirk R.  
For: CONTROL APPARATUS AND ) Confirmation No.: 7337  
CONTROL METHOD FOR A )  
BLOOD TREATMENT )  
EQUIPMENT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Mail Stop AF**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the Examiner's decision mailed December 17, 2009.

The item(s) checked below are appropriate:

1.  Applicant petitions for an extension of time, based on the mailing date of the outstanding Office action. The petition fee of \$ is enclosed.
2.  Applicant has previously filed a Petition for extension of time extending the period for response to the outstanding Office action to May 17, 2010. Applicant now petitions for an additional extension of time to extend the period for response to June 17, 2010. The petition fee of \$620.00 is enclosed.
3.  The Notice of Appeal Fee of \$540.00 is enclosed.
4.  The Notice of Appeal Fee was previously paid in this application on, but the appeal was not completed. Accordingly, no Appeal Fee is due at this time.

5.  A pre-appeal brief conference is requested. The request and supporting documentation are attached.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 16, 2010

By: */Aaron L. Parker/*  
Aaron L. Parker  
Reg. No. 50,785